



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

FACT SHEET FOR H.B. 2492

voter registration; verification; citizenship

Purpose

Requires a person to provide satisfactory evidence of citizenship in order to be deemed a qualified elector. Requires a person to provide proof of location of residence in order to be presumed to be properly registered to vote. Outlines requirements for verification of citizenship by a county recorder and the Attorney General (AG).

Background

In order to be eligible to vote in Arizona, a person must be a citizen of the United States ([A.R.S. § 16-101](#); [Ariz. Const. art. 7, § 2](#)). A person is presumed to be properly registered to vote on completion of a registration form that contains certain identifying information and a checkmark or other appropriate indicator that the person answered "yes" to the citizenship question ([A.R.S. § 16-121.01](#)). A registrant must additionally provide documentary proof of citizenship in order to be registered as a full-ballot voter who is entitled to vote for federal, state, county and local races and ballot measures. A registrant who is otherwise eligible to vote, but who does not submit documentary proof of citizenship, must be registered as a federal-only voter who is only eligible to vote in races for federal offices in Arizona ([EPM Ch. 1 \(II\)\(A\)](#)).

Acceptable documentary proof of citizenship includes: 1) the registrant's driver license or nonoperating identification license number; 2) the registrant's birth certificate; 3) a copy of the registrant's U.S. passport; 4) the registrant's U.S. naturalization documents or certificate of naturalization number; 5) the applicant's Bureau of Indian Affairs or tribal treaty card number or tribal enrollment number; or 6) other documents or methods of proof established pursuant to the Immigration Reform and Control Act of 1986 ([A.R.S. § 16-166](#)). In order to receive a ballot at a polling location an elector must present: 1) a valid form of identification bearing their photograph, name and address; 2) two different items containing the name and address of the elector that is the same name and address in the precinct register; or 3) a valid form of identification that does not appear to be the same address as in the precinct register and one item containing the name and address of the elector that is the same as in the precinct register ([A.R.S. § 16-579](#)).

The U.S. Elections Assistance Commission maintains the mail national voter registration application form (federal voter registration form) as required by the National Voter Registration Act of 1993 ([42 U.S.C. § 1973](#)). Arizona's state-specific instructions on the form direct an applicant to include their valid Arizona driver license number, non-operating identification license or the last four digits of their social security number ([EAC Federal Voter Registration Form](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

*Satisfactory Evidence of Citizenship*

1. Requires a person to provide satisfactory evidence of citizenship in order to be:
  - a) qualified to register to vote; or
  - b) deemed a qualified elector.
2. Requires any application for voter registration, including an application on the federal voter registration form, to contain a checkmark or other appropriate mark in the "yes" box next to the question regarding citizenship in order for a person to be properly registered to vote as either a federal-only voter or full-ballot voter.
3. Deems any voter registration application that does not include all statutorily required information or that is not signed as incomplete.
4. Requires a county recorder to notify a voter registration applicant with an incomplete state voter registration form pursuant to statutory requirements and prohibits a county recorder from registering a voter with an incomplete voter registration form until all required information is returned.
5. Requires any voter registration application, except for a federal voter registration form, to be accompanied by satisfactory evidence of citizenship.
6. Requires a county recorder or other officer in charge of elections to reject any state voter registration application that is not accompanied by satisfactory evidence of citizenship and notify the applicant pursuant to statutory requirements.
7. Requires a county recorder or other officer in charge of elections, within 10 days of receipt of a federal voter registration form that is not accompanied by satisfactory evidence of citizenship, to use all available resources to verify the citizenship status of the applicant.
8. Classifies, as a class 6 felony, failure by a county recorder or other officer in charge of elections to:
  - a) reject a voter registration application that is not accompanied by satisfactory evidence of citizenship; or
  - b) attempt to verify the citizenship status of an applicant and knowingly cause the applicant to be registered, if it is later determined that the applicant was not a U.S. citizen.
9. Requires a county recorder or other officer in charge of election, when verifying the citizenship of an applicant that used the federal voter registration form, to, at a minimum, compare the information on the application with the following, if the county has access:
  - a) the Arizona Department of Transportation (ADOT) databases of Arizona driver licenses or nonoperating identification licenses;
  - b) the social security administration databases;
  - c) the U.S. Citizenship and Immigration Services (USCIS) Systematic Alien Verification for Entitlements Program, if applicable;

- d) a national association for public health statistics and information systems electronic verification of vital events system; and
  - e) any other state, municipal, county or federal database and any other database relating to voter registration to which a county recorder or officer in charge of elections has access, including an Electronic Registration Information Center database.
10. Requires a county recorder or other officer in charge of elections, to properly register the applicant, if citizenship verification matches an applicant with information that verifies the applicant is a U.S. citizen who is otherwise qualified to register to vote and has met statutory requirements for proper registration.
11. Requires a county recorder or other officer in charge of elections, if citizenship verification matches the applicant with information that the applicant is not a U.S. citizen, to:
- a) reject the application;
  - b) notify the applicant that the application was rejected because the applicant is not a U.S. citizen; and
  - c) forward the application to a county attorney and the AG for investigation.
12. Requires a county recorder or other officer in charge of elections who is unable to verify the citizenship of an applicant to notify the applicant that:
- a) citizenship could not be verified; and
  - b) that the applicant will not be qualified to vote in a presidential election or by mail with an early ballot in any election until satisfactory evidence of citizenship is provided.
13. Requires a county recorder or other officer in charge of elections to record efforts made to verify an applicant's citizenship status.
14. Asserts that a person, except for a person registered pursuant to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA voter), who has registered to vote and who has not provided satisfactory evidence of citizenship is not eligible to vote in presidential elections.
15. Asserts that a person, except for a UOCAVA voter, who has not provided satisfactory evidence of citizenship and who is eligible to vote only for federal offices is not eligible to receive a ballot by mail.
16. Requires the Secretary of State (SOS) and each county recorder to:
- a) make a list of all individuals who are registered to vote and who have not provided satisfactory proof of citizenship available to the AG; and
  - b) provide, by October 31, 2022, the applications of individuals who are registered to vote and who have not provided satisfactory proof of citizenship.
17. Requires the AG to use all available resources to verify the citizenship status of each applicant provided by the SOS or a county recorder and compare the information available on the application, at a minimum, with:
- a) the ADOT databases of Arizona driver licenses or nonoperating identification licenses;
  - b) the social security administration databases;
  - c) the USCIS Systematic Alien Verification for Entitlements Program, if applicable;

- d) a national association for public health statistics and information systems electronic verification of vital events system; and
  - e) any other state, municipal, county or federal database and any other database relating to voter registration to which a county recorder or officer in charge of elections has access, including an Electronic Registration Information Center database.
18. Requires the SOS to provide the AG with access to the USCIS Systematic Alien Verification for Entitlements Program for the purposes of verifying citizenship of an applicant.
19. Requires the AG to:
- a) prosecute individuals who are found not to be U.S. citizens; and
  - b) submit a report to the SOS and Legislature by March 31, 2023, detailing all findings related to the citizenship status of individuals who are registered to vote and who have not provided satisfactory proof of citizenship.
20. Requires a county recorder to cancel a voter registration when the county recorder receives and confirms information that a person who is registered to vote is not a U.S. citizen.

***Proof of Location of Residence***

21. Requires a person to provide proof of location of residence and place of birth in order to be presumed properly registered to vote.
22. Requires a person who registers to vote, except for a UOCAVA voter, to provide an identifying document that establishes proof of location of residence.
23. Asserts that any of the form of identification required for a person to receive a ballot at a polling location, including a valid and unexpired Arizona driver license or nonoperating identification number that is properly verified by the county recorder, constitute satisfactory proof of location of residence.
24. Asserts that compliance with the proof of location of residence requirements does not satisfy residency requirements for the purposes of qualifying as a voter registrant and only constitutes confirmation of the address on the applicant's application at the time of registration.

***Miscellaneous***

25. Contains a severability clause.
26. Makes technical and conforming changes.
27. Becomes effective on the general effective date.

**House Action**

GE	2/16/22	DPA	7-6-0-0
3 <sup>rd</sup> Read	2/28/22		31-26-3

Prepared by Senate Research  
March 8, 2022  
MH/sr